



1AP10 Rec'd PCT/PTO 16 NOV 2005

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Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Title: METHOD OF TREATING A SUBTERRANEAN FORMATIONS TO ENHANCE HYDROCARBON PRODUCTION USING PROPPANTS

This correspondence is being deposited with the United States Postal Service on November 16, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER842053607US addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

Mail stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dated: November 16, 2005

In response to the Notice to File Missing Parts of September 20, 2005 (copy enclosed) in above-captioned application, enclosed is a Declaration and Power of Attorney, executed by all of the inventors. The surcharge for late filing of the Declaration in the amount of \$ 130.00 is included in the check submitted herewith.

11/25/2005 ATRAN1

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FC:1617

130.00 op

Respectfully submitted,

Respectfully submitted,
Thomas E. Smith

Thomas E. Spath
Attorney for Applicants
Reg. No. 25, 928



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/533,531 | Isaias Ortiz | 206,972 |

| INTERNATIONAL APPLICATION NO. | |
|-------------------------------|---------------|
| PCT/US03/37252 | |
| I.A. FILING DATE | PRIORITY DATE |
| 11/18/2003 | 11/18/2002 |

Abelman Frayne & Schwab
 150 East 42nd Street
 New York, NY 10017-5612

CONFIRMATION NO. 6315

371 FORMALITIES LETTER



OC000000017045888

Date Mailed: 09/20/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/02/2005
- Copy of the International Search Report filed on 05/02/2005
- Information Disclosure Statements filed on 08/23/2005
- Oath or Declaration filed on 05/02/2005
- Request for Immediate Examination filed on 05/02/2005
- U.S. Basic National Fees filed on 05/02/2005
- Priority Documents filed on 05/02/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
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FORM PCT/DO/EO/905 (371 Formalities Notice)